

ELGIN CITY COUNCIL AGENDA

ELGIN COMMUNITY CENTER

JULY 8, 1997

CALL TO ORDER 7:00 pm

APPROVE THE MINUTES of JUNE 10 & JUNE 24, 1997

SUPERVISORS REPORTS

Police	Dayton Sibley
Public works	Kyle Boylen
Library	Sandra Good
Fire	Pat McDonald
Ambulance	Merle Laci
Municipal court	Ralph Howell
Recorder	Joe Garlitz

HEARINGS:

7:15 Variance, Edith Fielding

7:20 Zoning Ordinance;

- a) Livestock in R-1 Zone
- b) Manufactured Home Standards

CITIZENS TO SPEAK

COMMITTEE REPORTS

Administration: Councilors Cooper and Stover
Public Works: Councilors McMullen and Churchill
Public Safety: Councilors Short and Bennett

OLD BUSINESS

2nd reading, adopt Improvement District ordinances, Chip Seal
Opera House lease
Grande Ronde Hospital ambulance billing

NEW BUSINESS

Hughes Fire lease purchase for Fire Engine
1997/98 City employee wages, resolution 1035

CORRESPONDENCE

A&P Safe Drinking Water Project
Un. Co. Planning, Transportation Growth Management plan

GOOD OF THE ORDER

Approve bills

ADJOURN

CITY of ELGIN

COUNCIL MINUTES FOR JULY 8, 1997

COUNCILORS PRESENT- Kevin Cooper
Pat McMullen
John Stover
Berta Churchill
Misty Bennett
Leroy Short
Rick Smith - Mayor

Call to Order

The meeting was called to order at 7 pm by Mayor Rick Smith.

Approval of Minutes

The Mayor called for approval of the minutes of the meeting of June 10 and June 24, 1997. Councilor Stover moved to approve the minutes of June 10 and June 24, 1997 as presented, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Supervisors Reports

The Mayor called for the supervisors reports.

Police- Chief Sibley: Absent, no report.

Public works- Kyle Boylen: Absent, no report.

Library- Sandra Good reported that she had attended a meeting of the Pioneer Libraries. At the meeting the "board" indicated that the college (university) would be doing the "no hits" per the grant, but only until December. They also have extended the time allowed for cataloguing the various library's collections until the end of August.

Fire- Chief McDonald reported that the volunteers have been working on equipment. He informed the Council that the State Fire Marshall is placing burn restriction on certain areas of the State. He will be implementing burn barrel only 6-10 am restrictions this week for the City.

Ambulance- Merle Laci: Absent, no report.

Municipal Court- Ralph Howell submitted a written report noting that June had been very busy and that the first court in July was quite heavy as well.

Recorder/Administrator- Joe Garlitz, no report.

Citizens to Speak

There were no citizens to speak at this time.

Committee Reports

The Mayor then called for the committee reports.

Administration: Councilors Cooper and Stover reported that the bills were being reviewed.

Public Works: Councilor McMullen and Churchill: no report.

Public Safety: Councilors Short and Bennett: no report.

Since the time for scheduled hearings had not arrived the Mayor advanced the agenda.

Old Business

Ordinances 119, 120 and 121 accepting the reports for Improvement Districts to chip seal several streets were presented for the second reading and adoption.

Ordinance 119 accepting a report for an Improvement District on South 20th and the west end of Birch was read by title. Councilor Churchill moved to adopt Ordinance 119 as read, with Councilor Short as second. The vote was unanimous for approval, motion carried.

Ordinance 120 accepting a report for an Improvement District on Carolyn Terrace was read by title. Councilor McMullen moved to adopt Ordinance 120 as read, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Ordinance 121 accepting a report for an Improvement District on North 13th Avenue was read by title. Councilor Short moved to adopt Ordinance 121 as read, with Councilor Bennett as second. The vote was unanimous for approval, motion carried.

A draft lease for the Opera House was submitted by Lane/Peters. The draft was referred to the Administration Committee for review.

Hearings

7:15 Variance. Edith Fielding is requesting a variance to the 15' side yard setback for her lot at 10th and Fresno. The lot is adjacent to the creek which is situated between her lot and Fresno Street. Ms. Fielding wishes to utilize the property that would be restricted by the 15' side yard standard. Since the creek separates her lot from the street she is requesting that the standard for a "corner lot" not be applied to her property.

A letter from Paul and Patsy Johnson, near by property owners, was presented. The Johnsons requested that the variance be denied with the finding that there is no basis for a variance. A letter from Russell and Jo Hug, near by property owners, was presented. The Hugs stated they had no objection to the request. No other letters were received. No one was present to comment on the request.

After discussion, Councilor Stover moved to reduce side-yard setback for this lot to the standard for an interior lot, with Councilor Short as second. The vote was unanimous for approval, motion carried.

The Council made the following findings in support of the motion:

- 1) Exceptional and extraordinary conditions apply to the property in that it is adjacent to the un-named creek that runs along the north side of Fresno Street. The width of the Creek exceeds 15 feet, providing a natural barrier between the side-yard of the lot and Fresno Street, thus obviating the need for a "corner lot" side-yard setback, and;
- 2) The variance is necessary to preserve the right of the owner to use the side-yard which would otherwise be restricted, and;

- 3) The variance will not materially or detrimentally affect the purpose of the zoning ordinance, and;
- 4) The granted variance is the minimum variation from the "corner" lot standard necessary to alleviate the hardship to the owner.

7:20 Zoning Ordinance;

Livestock in R-1 Zone: Mayor Smith opened a hearing to receive public comments regarding allowing horses in the R-1 zone as a conditional use.

Odie Payne stated that there were several places in the R-1 zone where it is appropriate to keep horses, Ron Schmittle's property on Palmer Street being one of them. Wally Moore stated that the Schmittle property has a grandfather use for a horse. It was duly noted that the grandfathered non-conforming use for a horse had long since been lost and the prior property owner had been so informed. Carl Schmittle asked if the City has records showing all the places where horses are being kept. It was noted that those records have not been kept, and that enforcement of the prohibition for keeping animals was made on the basis of complaints filed with the City Office.

Several persons stated that the City should just let the Schmittles have a horse. It was again explained that the current zoning ordinance specifically prohibits horses (and other animals) within the R-1 zone. Only by going through the process of changing the zoning ordinance, can horses be legally allowed in the R-1 zone.

The hearing was closed. Mayor Smith requested that a draft ordinance repealing the specific prohibition of horse in the R-1 zone be drafted, with the draft providing conditional use provisions to allow horses. Council will consider the draft at the August meeting. DLCD is to be notified of the proposed change.

Manufactured Home Standards: Mayor Smith opened a hearing to receive public comments on a proposal to increase the standards for manufactured homes. The proposal under consideration is as follows:

- 1) Minimum floor area: 800 square feet;
- 2) Foundation: excavated/backfilled foundation with perimeter wall maximum height of 12 inches.
- 3) Limit mobile home age to a maximum of 15 years.
- 4) Change the residential rear yard minimum from 5 feet to 15 feet.

Lloyd Clark commented that limiting the foundation side wall to 12" effectively eliminates trailer houses. He also spoke in opposition to requiring a 15' rear-yard setback and limiting the age of a trailer to 15 years. Wally Moore stated that there isn't a need for a change in the existing ordinance. Ron Brand said he was in favor of improving Elgin, but that requiring a higher standard might prevent some older trailers from being replaced because low cost replacement trailers would not be allowed.

Chris Reis spoke in favor of the changes. He indicated that the proposed changes would merely bring Elgin in line with the predominant standards in the County. He noted that because Elgin has such slack standards for trailer houses, that appraised values are routinely lowered for properties in Elgin as compared to the other communities in the County. Glenn Clark spoke in favor of the changes because the older trailers are very prone to catastrophic fires, posing a danger to the residents, fire fighters and neighboring structures.

After discussion, it was the consensus of the Council that limiting the age of manufactured homes to 15 years would not be workable. It was suggested that a given standard of manufacture year be selected instead; (Union requires standards set in 1974). The hearing was closed. Councilor Stover moved to table the matter until a draft ordinance was prepared that requires 800 sq.ft. floor space, 15' rear yard set-back for the primary dwelling, manufactured to meet or exceed the prevailing standards of 1982 and be placed on an excavated/backfilled foundation. Councilor Cooper was second to the motion. The vote was unanimous for approval, motion carried.

At this time Councilor Churchill left the meeting due to the late hour.

Old Business (continued); Grande Ronde Hospital ambulance billing.

Roger Wilder of the Grande Ronde Hospital was present to request the Council's consideration of a mutual billing agreement for dual dispatch situations. In discussion with Mr. Wilder, it was noted that the current proposal was identical to the previous proposal submitted in march. Mr. Wilder was asked if this meant that the proposal was non-negotiable. He stated that the terms were not non-negotiable, but that the Hospital staff felt the proposal was fair since it had been accepted by Union, in a similar situation. It was noted that the Council had rejected the proposal and had indicated their position in a letter to GRH signed by Mr. Garlitz.

Mr. Wilder stated that the Hospital is able to collect only 57% of the billed fee in dual dispatch runs. The current agreement provides that the Hospital will pay 90% of the fees billed by Elgin. Elgin's average collection is 70%, thus there is room for adjustment as indicated by Elgin in its letter to GRH. Mr. Wilder indicated that GRH would consider a payment of 57% of the fees billed by Elgin but preferred a fix fee schedule.

The Council reiterated its requirements that GRH is not to benefit at the expense of the community; that the subsidy provided to the Elgin Ambulance by the City, benefit the Elgin residents not GRH; and, that every opportunity to provide the least cost ambulance service to our patients be maintained. The Mayor requested that Mr. Wilder convey the Council's position to the responsible GRH staff and submit an alternate proposal for the Council's consideration.

Mr. Garlitz presented a "Mutual Aid" agreement between the Elgin Ambulance Service and Grande Ronde Hospital. This agreement is separate from the billing agreement. It is a standard mutual aid agreement for exchange of services across jurisdiction boundaries. Councilor Cooper moved to approve the Mayor's signature on the agreement as presented, with Councilor Short as second. The vote was unanimous for approval, motion carried.

New Business

Fire Chief McDonald presented a payment schedule for the lease purchase of a fire engine from Hughes Fire Equipment. The lease schedule has several payment options. After discussion Councilor McMullen moved to proceed with requesting bids to purchase or to lease/purchase a fire engine, with Councilor Cooper as second. The vote was unanimous for approval, motion carried.

Sena Smith, a teacher at Stella Mayfield Elementary was present to request money to provide rewards for "crossing guards" at the school. The guards volunteer their time, but Ms. Smith would like to have some way of rewarding their contribution. Councilor Short moved to provide \$200 to Ms. Smith for the "crossing guard" program, with Councilor Cooper as second. The vote was unanimous for approval, motion carried.

Resolution 1035, setting 1997/98 City employee wages was presented. Councilor Stover moved to approve Resolution 1035 as presented with the wages to be set as in the approved budget for 1997/98, with Councilor Cooper as second. The vote was unanimous for approval, motion carried.

Correspondence

Anderson & Perry sent correspondence regarding the Safe Drinking Water Project. The project provides funds to do planning studies of water systems. A&P is suggesting that the City send a letter of interest for planning funds. It was the consensus of the Council to send a letter of interest.

Un. Co. Planning Department is offering to include Elgin in the County's Transportation Growth Plan. ODOT provides the planning funds for the project. The consensus of the Council was to request the Planning Department to include Elgin in their plan as proposed.

Good of the Order

Councilor Stover moved to approve the bills as submitted, with Councilor Short as second. The vote was unanimous for approval, motion carried.

Councilor McMullen moved to adjourn, with Councilor Bennett as second. The vote was unanimous for approval, motion carried.

Minutes respectfully submitted;
Joe Garlitz, Recorder/Administrator